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Elections to fill vacancies in subsidiary organs and other elections: election of fifteen members of the Human Rights Council

Letter dated 27 September 2017 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the General Assembly

With reference to the candidature of Ukraine for membership in the Human Rights Council for the period 2018-2020, I have the honour to enclose herewith the voluntary pledges and commitments of Ukraine pursuant to General Assembly resolution 60/251 (see annex).

I would appreciate your kind assistance in having the present letter and its annex distributed as a document of the General Assembly, under agenda item 114 (d).

(*Signed*) Volodymyr **Yelchenko**
Ambassador
Permanent Representative

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Annex to the letter dated 27 September 2017 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the General Assembly

Candidature of Ukraine to the Human Rights Council, 2018-2020

Voluntary pledges and commitments pursuant to General Assembly resolution 60/251

1. As a founding Member of the United Nations and a responsible partner in international cooperation, Ukraine is strongly committed to the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights and strictly adheres to its international commitments under these and other international instruments in the field of human rights.

2. Ukraine considers the Human Rights Council to be the main organ of the United Nations system in the sphere of human rights protection and supports efforts aimed at its further strengthening.

3. Having been elected to the Human Rights Council in the year of its establishment, in 2006, Ukraine served for two consecutive terms and, since their completion in 2011, has been an active advocate for human rights as an observer to the Council.

4. Since 2010, Ukraine has consistently and regularly promoted an initiative in the Human Rights Council relating to the role of the prevention of human rights violations, with the dedicated support of a core group of States. Relevant Council resolutions on the role of prevention in the promotion and protection of human rights, including resolutions 14/5 of 17 June 2010, 18/13 of 29 September 2011, 24/16 of 27 September 2013 and 33/6 of 22 September 2016, were adopted by consensus.

5. Ukraine is working closely with the United Nations High Commissioner for Human Rights and his Office, as well as with the human rights monitoring mission in Ukraine, deployed at the invitation of the Government of Ukraine in March 2014. Its documents constitute a basis of the reports of the Office on the human rights situation in Ukraine, in particular in the temporarily occupied Autonomous Republic of Crimea, the city of Sevastopol and certain areas of the Donetsk and Luhansk regions.

Cooperation with the Human Rights Council and its monitoring mechanisms

6. Ukraine has fulfilled all its previously undertaken voluntary pledges and commitments. A standing invitation was extended by the Government of Ukraine to all thematic special procedures of the Human Rights Council in June 2006. Since that date, Ukraine has been visited by the following:

- The Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material (22-27 October 2006);
- The Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes (22-30 January 2007);
- The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (14-18 May 2007
- The Working Group on Arbitrary Detention (22 October-5 November 2008);

- The Special Rapporteur on minority issues (7-14 April 2014);
- The Special Rapporteur on the human rights of internally displaced persons (16-25 September 2014 and 1-9 September 2016);
- The Special Rapporteur on extrajudicial, summary or arbitrary executions (8-18 September 2015);
- The Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination (14-18 March 2016).

7. The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment will visit Ukraine in December 2017.

8. The Working Group on Enforced or Involuntary Disappearances and the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights will also carry out monitoring missions to Ukraine in 2018.

9. Actively cooperating with the universal periodic review mechanism, Ukraine has successfully undergone two review cycles, in 2008 and 2012. The third review cycle involving Ukraine is scheduled to take place on 15 November 2017.

Implementation of international human rights instruments

10. Ukraine has acceded to and ratified the vast majority of international treaties and agreements in the field of human rights. Following its pledges and commitments made in June 2008, Ukraine has ratified the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

11. In fulfilment of its previous pledges and commitments, Ukraine has presented to the relevant United Nations bodies seven national reports on the implementation of the following international instruments:

- The Convention on the Elimination of All Forms of Discrimination against Women (21 January 2010 and 14 February 2017);
- The Convention on the Rights of the Child and the Optional Protocol thereto on the involvement of children in armed conflict (28 January 2011);
- The International Convention on the Elimination of All Forms of Racial Discrimination (17-18 August 2011 and 11-12 August 2016);
- The International Covenant on Civil and Political Rights (8-9 July 2013);
- The International Covenant on Economic, Social and Cultural Rights (24 April 2014);
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (5 November 2014);
- The Convention on the Rights of Persons with Disabilities (19-20 August 2015).

12. The Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in accordance with its mandate, undertook visits to Ukraine from 16 to 25 May 2011 and from 19 to 25 May and 5 to 9 September 2016.

National human rights policy

13. Given the need to improve State activities with respect to observing and safeguarding human rights and freedoms, establishing an efficient mechanism for protecting human rights and freedoms in Ukraine and settling systemic issues in this realm, the President of Ukraine approved a national strategy on human rights for the period 2015-2020. The strategy addresses systemic problems in the area of human rights and freedoms in Ukrainian society, as well as new challenges posed by the illegal occupation of Crimea and Russian military aggression against Ukraine in Donbass.

14. With the view to implementing the strategy, the Government approved an action plan that sets out measures and indicators aimed at achieving the expected outcomes defined in the strategy. Equality of rights and opportunities and non-discrimination are among the key elements reflected in that comprehensive document. Non-discrimination and respect for diversity must be observed and implemented and all measures should be taken to overcome social stereotypes that lead to discrimination.

15. The strategy and the related action plan are aimed at improving the legal and institutional framework for national human rights policy in line with international standards, in close cooperation with the Ukrainian Parliament Commissioner for Human Rights, civil society and international organizations, including the United Nations, the Council of Europe and the Organization for Security and Cooperation in Europe.

16. The challenge of protecting human rights and freedoms has been aggravated by the temporary occupation of the Autonomous Republic of Crimea and the city of Sevastopol and the military aggression of the Russian Federation in certain areas of the Donetsk and Luhansk regions. Along with the top-priority objectives related to strengthening national security, overcoming the economic crisis and reforming public administration, observing human rights remains the main commitment of the Government.

17. The primary focus of the human rights agenda of Ukraine is the human rights situation in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol. It has been Ukraine's firm standpoint, as expressed in General Assembly resolution 71/205, that safe and unfettered access to Crimea must be provided by the occupying Power in order to enable established regional and international human rights monitoring mechanisms to carry out their mandates. Such access is extremely important to reporting on the situation on the ground and preventing further deterioration of the situation.

National human rights institutions

18. On 14 April 1998, the Parliament of Ukraine elected the first Commissioner for Human Rights. The powers and activities of the Ombudsman of Ukraine are fully in line with the principles relating to the status of national institutions for the promotion and protection of human rights, approved by the General Assembly in its resolution 48/134. Above all, it is about independence, transparency and impartiality in its activities.

19. Therefore, in March 2009, pursuant to a decision of the Bureau of the International Coordinating Committee of National Institutions for the Promotion of Human Rights, the Ombudsman of Ukraine was granted "A" accreditation status, which entitles it, in particular, to attend meetings of the Human Rights Council and participate in Council discussions.

20. Pursuant to article 17 of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, an effective national preventive mechanism was established in 2012 using the "Ombudsman-Plus" model. In that regard, the Office of the Ombudsman provides technical and organizational support to independent monitors, who are proposed and trained by the National Expert Council.

21. As a member of the Human Rights Council, Ukraine will submit fully to the universal periodic review and undertake the voluntary commitments and pledges listed below.

22. Within the Human Rights Council and the United Nations system, Ukraine will:

- Work to ensure the elimination of double standards in the assessment of the human rights situation in various countries;
- Strive to promote objectivity and non-selectivity in the functioning of the Council;
- Engage in a constructive and transparent human rights dialogue with all States and non-governmental organizations;
- Continue to support the Office of the United Nations High Commissioner for Human Rights;
- Further contribute to the development of modalities for the universal periodic review and the strengthening of the institutional make-up of the Council;
- Cooperate constructively with the States Members of the United Nations in reforming the treaty body system;
- Further promote, in cooperation with the core group, the initiative on the role of prevention in the promotion and protection of human rights;
- Seek to increase support for initiatives and resolutions aimed at protecting children's rights;
- Further support activities that combat violence against women and international trafficking in human beings;
- Continue to fully cooperate with special procedures and implement the recommendations addressed to Ukraine.

23. At the bilateral level, Ukraine will:

- Actively cooperate with all States — regardless of their membership in the Human Rights Council — in order to reflect their views with regard to the ongoing deliberations within the Council;
- Contribute to the facilitation of interaction between the Council and individual countries;
- Ensure that the Council provides advisory services, technical assistance and capacity-building in consultation with, and with the consent of, the States concerned.

24. At the national level, Ukraine will:

- Continue to strengthen the close engagement and partnership between the Government and civil society in promoting and protecting human rights;
- Encourage efforts by civil society and the media to promote and protect human rights;

- Ensure effective protection and promotion of the rights of national minorities and indigenous peoples;
- Further strengthen activities that protect children's rights and advance women and gender equality;
- Submit in a timely manner national periodic reports on the implementation of, inter alia, the International Covenant on Civil and Political Rights (26 July 2018), the Convention on the Rights of the Child (26 September 2018) and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (28 November 2018).

Enclosure

Human rights treaties ratified by Ukraine since the second universal periodic review cycle

United Nations

- Convention on the Reduction of Statelessness;
- Convention relating to the Status of Stateless Persons;
- International Convention for the Protection of All Persons from Enforced Disappearance;
- Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

International Labour Organization

- Occupational Safety and Health Convention, 1981 (No. 155);
- Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117);
- Social Security (Minimum Standards) Convention, 1952 (No. 102).

Council of Europe

- Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse;
- European Agreement on the Transmission of Applications for Legal Aid;
- Third and Fourth Additional Protocols to the European Convention on Extradition.

Other

- Convention on the International Recovery of Child Support and Other Forms of Family Maintenance;
- Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention).